



Patent  
Attorney's Docket No. 033525-001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of )  
Maurice ISRAEL et al. ) Group Art Unit: Unassigned  
Application No.: 10/009,198 ) Examiner: Unassigned  
Filed: June 10, 2002 ) Confirmation No.: 8168  
(International Filing Date: June 9, 2000) )  
For: PHARMACEUTICAL COMPOSITION )  
COMPRISING NO OR AT LEAST A NO )  
DONOR COMPOUND OR ANOTHER )  
COMPOUND CAPABLE OF )  
RELEASING OR INDUCING NO )  
FORMATION IN CELLS )

**TRANSMITTAL LETTER FOR**  
**MISSING REQUIREMENTS UNDER 35 U.S.C. § 371 IN**  
**THE UNITED STATES DESIGNATED/ELECTED OFFICE**

**BOX: MISSING PART**  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In complete response to the Notification of Missing Requirements under 35 U.S.C. § 371 in the United States Designated/Elected Office February 15, 2002, and the Notification of Defective Response dated May 10, 2002, enclosed please find: **[Please note that a Letter regarding the incorrect Sequence Listing Due was filed in the above-identified application on April 15, 2002.]**

- ☒ a Combined Declaration and Power of Attorney signed by the inventor(s) and the surcharge of ☒ \$65.00 (205) ☐ \$130.00 (105) as set forth in 37 C.F.R. § 1.16(e);
- ☐ Note that the inventor(s) identified on the currently filed Combined Declaration and Power of Attorney are different from those listed on the application filing papers.
- ☐ a Request for Refund;
- ☐ a Petition for Extension of Time;

06/13/2002 HKAYPAGH 00000052 10009198

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(05/02)

Transmittal Letter for Missing Requirements

Under 35 U.S.C. § 371

Attorney's Docket No. 033525-001

Application Serial No. 10/009,198

Page 2

- ☐ a verified English translation of the Application, and the \$130.00 (139) fee as set forth in 37 C.F.R. § 1.17(k);
- ☐ an Assignment document and a separate check for the \$40.00 (581) Assignment recordation fee;
- ☐ drawings for publication;
- ☒ other: a copy of the Notification of Missing Requirements Under 35 U.S.C. § 371 in the United States Designated/Elected Office (DO/EO/US), a copy of the Notification of Defective Response dated May 10, 2002, and a copy of Applicants' Letter filed on April 15, 2002 re Sequence Listing.
- ☒ a check in the amount of \$ 65.00 for the fee due for missing parts.
- ☐ charge \$ \_\_\_\_\_ to Deposit Account No. 02-4800 for the fee due for missing parts.
- ☒ Small entity status is hereby claimed.

The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

P.O. Box 1404  
Alexandria, Virginia 22313-1404  
(703) 836-6620

By:



Susan M. Dadio

Registration No. 40,373

Date: June 10, 2002



## UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box 501  
United States Patent and Trademark Office  
Washington, D.C. 20533  
www.uspto.gov

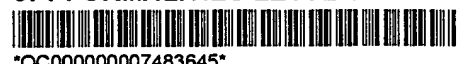
U.S. APPLICATION NUMBER NO. 10/009,198	FIRST NAMED APPLICANT Maurice Israel	ATTY. DOCKET NO. 032525-001 -004101-003
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INTERNATIONAL APPLICATION NO. PCT/FR00/01612
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I.A. FILING DATE 06/09/2000	PRIORITY DATE 06/11/1999
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21839  
BURNS DOANE SWECKER & MATHIS L L P  
POST OFFICE BOX 1404  
ALEXANDRIA, VA 22313-1404

CONFIRMATION NO. 8168  
371 FORMALITIES LETTER



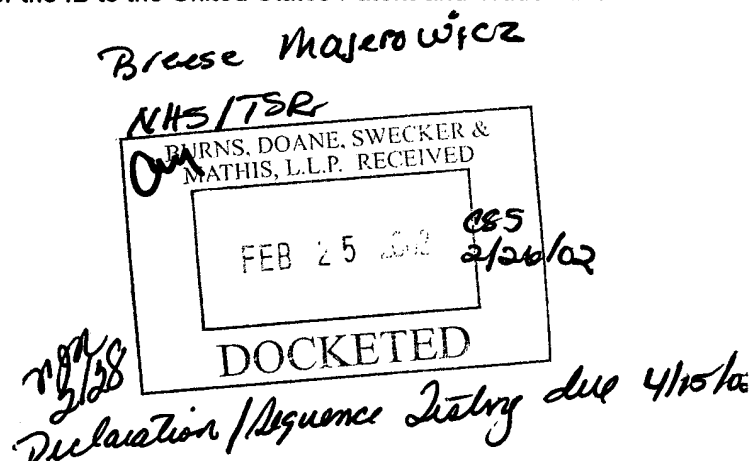
\*OC000000007483645\*

Date Mailed: 02/15/2002

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Indication of Small Entity Status
- Priority Document
- Biochemical Sequence Listing
- Copy of IPE Report
- Copy of the International Application
- Information Disclosure Statements
- Preliminary Amendments
- Request for Immediate Examination
- Small Entity Statement



The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$65 Surcharge for providing the oath or declaration later than the appropriate 30 months from the priority date (37 CFR 1.492(e)) is required.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions

of 37 CFR 1.136(a).

The following items **MUST** be furnished within the period set forth below:

- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):
  - A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).
  - A copy of the "Sequence Listing" in computer readable form has been submitted. The content of the computer readable form, however, does not comply with the requirements of 37 CFR 1.822 and/or 1.832, as indicated on the attached marked-up copy of the "Raw Sequence Listing."
  - APPLICANT MUST PROVIDE:
    - An initial or substitute computer readable form (CRF) of the "Sequence Listing."
    - An initial or substitute paper copy or compact disc of the "Sequence Listing," as well as an amendment directing its entry into the specification.
    - A statement that the contents of the paper or compact disc and the computer readable form are the same and, where applicable, include no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b) or 1.825(d).
- For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:
  - For Rules Interpretation, call (703) 308-4216
  - To Purchase PatentIn Software, call (703) 306-2600
  - For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$65** for a Small Entity:

- **\$65** Late oath or declaration Surcharge.
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).
- A copy of the "Sequence Listing" in computer readable form has been submitted. The content of the computer readable form, however, does not comply with the requirements of 37 CFR 1.822 and/or 1.832, as indicated on the attached marked-up copy of the "Raw Sequence Listing."

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

BARBARA A CAMPBELL

Telephone: (703) 305-3631

#### PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/009,198	PCT/FR00/01612	004101-003

FORM PCT/DO/EO/905 (371 Formalities Notice)

MSP due  
6/15 (24)  
SMD



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT  
United States Patent and Trademark Office  
Washington, D.C. 20231  
www.uspto.gov

033525-JV1

U.S. APPLICATION NUMBER NO. 10/009,198	FIRST NAMED APPLICANT Maurice Israel	ATTY. DOCKET NO. 004101-003
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INTERNATIONAL APPLICATION NO.
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PCT/FR00/01612

LA. FILING DATE 06/09/2000	PRIORITY DATE 06/11/1999
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21839  
BURNS DOANE SWECKER & MATHIS L L P  
POST OFFICE BOX 1404  
ALEXANDRIA, VA 22313-1404

CONFIRMATION NO. 8168

371 FORMALITIES LETTER



\*OC000000008072230\*

Date Mailed: 05/10/2002

# NOTIFICATION OF DEFECTIVE RESPONSE

**URGENT**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fee
- Indication of Small Entity Status
- Priority Document
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Information Disclosure Statements
- Preliminary Amendments
- Request for Immediate Examination
- Small Entity Statement

Breese Majerowicz  
M1151 TSIR/SMJ  
C.C.  
5/16

BURNS, DOANE, SWECKER & MATHIS, L.L.P. RECEIVED MAY 15 2002 DOCKETED
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The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$65 Surcharge for providing the oath or declaration later than the appropriate 30 months months from the priority date (37 CFR 1.492(e)) has not been paid in full .

Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).

SUMMARY OF FEES DUE:

Delatation Due 6/10/02  
or (6/15/02  
Time remaining  
in the M.P.)

Total additional fees required for this application is \$65 for a Small Entity:

- \$65 Late oath or declaration Surcharge.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

BARBARA A CAMPBELL

Telephone: (703) 305-3631

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/009,198	PCT/FR00/01612	004101-003

FORM PCT/DO/EO/916 (371 Formalities Notice)

**Rec'd PCT/PTO 10 JUN 2002**

Patent  
Attorney's Docket No. 033525-001

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of	)	
	)	
Maurice ISRAEL et al.	)	
	)	
Application No.: 10/009,198	)	Group Art Unit: Unassigned
(Corresponds to PCT/FR00/01612)	)	
	)	
International Filing Date: 6 JUNE 2000	)	
	)	Examiner: Unassigned
For: PHARMACEUTICAL COMPOSITION	)	
COMPRISING NO OR AT LEAST A	)	
NO DONOR COMPOUND OR	)	
ANOTHER COMPOUND CAPABLE	)	
OF RELEASING OR INDUCING NO	)	
FORMATION IN CELLS	)	

**LETTER**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Applicants received a Notification of Missing Requirements mailed February 15, 2002 under 35 U.S.C. §371 in the United States Designated/Elected Office.

In particular, the U.S. Patent and Trademark Office has requested an Oath or Declaration from the inventors and they have requested that Applicants Comply with a Nucleotide and/or Amino Acid Sequence Disclosure.

After complete review of the file, Applicants believe that the request to Comply with the Nucleotide and/or Amino Acid Sequence Disclosure was in error. To the best of Applicants' knowledge, no nucleotide or amino acid sequences are disclosed anywhere in the subject application.

Accordingly, Applicants will not reply to the Request for a Sequence Listing.

4-15-02-10



If the Examiner has any questions, a telephone call to Applicants' undersigned representative is respectfully requested.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

By: 

Teresa Stanek Rea  
Registration No. 30,427

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Alexandria, Virginia 22313-1404  
(703) 836-6620

Date: April 15, 2002